

Message Text

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PAGE 01 GENEVA 04115 251915Z
ACTION EB-07

INFO OCT-01 NEA-10 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05
L-03 LAB-04 NSAE-00 NSC-05 PA-01 EPG-02 AID-05
SS-15 STR-04 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02
OMB-01 XMB-02 OIC-02 AF-10 ARA-06 EA-07 EUR-12
/138 W

-----260135Z 042742 /64

R 251810Z MAY 77
FM USMISSION GENEVA
TO SECSTATE WASHDC 7672
INFO AMEMBASSY ISLAMABAD

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E.O. 11652: N/A
TAGS: ETRD, GATT, PK
SUBJECT: BOP CONSULTATION WITH PAKISTAN

REF: (A) STATE 114374; (B) ISLAMABAD 5367

1. SUMMARY: GATT BALANCE OF PAYMENTS COMMITTEE MAY 25 HELD
MINI-CONSULTATION WITH PAKISTAN, INDONESIA, EGYPT, PERU AND
SRI LANKA. US PER INSTRUCTIONS IN REFTEL (A) REQUESTED FULL
CONSULTATION WITH PAKISTAN (REFTEL (B) ARRIVED AFTER CON-
CLUSION OF MEETING). WHEN NO OTHER COUNTRY SUPPORTED US
REQUEST, LDCS SAID FULL CONSULTATION NOT NECESSARY, BUT ACCEPTED
CHAIRMAN'S RULING THAT REQUEST OF ONE MEMBER COUNTRY SUFFICIENT
TO SCHEDULE FULL. PROCEDURAL RULING WILL PROBABLY BE DISCUSSED
AT NEXT GATT COUNCIL WHEN CHAIRMAN PRESENTS HIS REPORT.
NO ONE REQUESTED FULL CONSULTATIONS WITH OTHER COUNTRIES.
END SUMMARY.

2. AS INSTRUCTED BY REFTEL (A.), MISSION INFORMED KEY
MEMBERS OF COMMITTEE (EC, CANADA, JAPAN, AUSTRALIA SWEDEN
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PAGE 02 GENEVA 04115 251915Z

AND COMMITTEE CHAIRMAN JAGMETTI) IN ADVANCE THAT WE WOULD
REQUEST A FULL CONSULTATION WITH PAKISTAN AND REQUESTED THEIR
SUPPORT. WE INFORMED PAKISTAN REP, HAMID MAY 23, (EARLIEST
WE WERE ABLE TO CONTACT HIM AFTER RECEIPT OF REFTEL (A)),
HAMAD INDICATED NO PROBLEM WITH PROPOSAL AFTER IT WAS EXPLAINED
THAT FULL CONSULTATION WOULD NOT TAKE PLACE UNTIL THE FALL.

3. AFTER CONSULTING WITH CHAIRMAN ON PROCEDURES, US OPENED DISCUSSION ON PAKISTAN BY SAYING THAT WE FELT FULL CONSULTATION DESIRABLE (REFTEL (B) ARRIVED AFTER CLOSE OF A.M. MEETING). WE NOTED THAT PAKISTAN HAD NOT HAD FULL CONSULTATIONS SINCE 1969, THAT THERE WERE A NUMBER OF CHANGES IN THEIR IMPORT REGIME, SOME LIBERALIZING AND SOME TIGHTENING RESTRICTIONS. HAMID IN LOW KEY WAY, ASKED IF THERE WERE SOME DEFICIENCIES IN PAKISTAN'S DOCUMENTATION WHICH LED US TO MAKE REQUEST AND WHAT ADDITIONAL INFORMATION DID THE US WANT? CHAIRMAN AND US BOTH REITERATED THAT IT WAS NOT A QUESTION OF DEFICIENCIES IN DOCUMENTATION BUT MINI-CONSULTATION PROCEDURE DID NOT PROVIDE FOR SOLICITING FURTHER INFORMATION OR CLARIFICATIONS, WHICH IS ONLY DONE IN FULL CONSULTATION. BRAZIL, URUGUAY, TURKEY (OBSERVER) SAID THEY WERE SATISFIED WITH PAKISTAN'S DOCUMENTATION AND SAW NO REASON FOR FULL CONSULTATION; IF US WANTED MORE INFORMATION IT COULD GET IT BILATERALLY. US NOTED THAT PAKISTAN HAD NOT HAD CONSULTATION IN EIGHT YEARS AND THAT FULL CONSULTATIONS WOULD ENABLE MEMBERS OF THE COMMITTEE TO GAIN BETTER UNDERSTANDING OF PAKISTAN BOP'S PROBLEMS AND PROVIDE OPPORTUNITY EXPLORE CONSTRUCTIVE SOLUTIONS TO THEM. (LANGUAGE IN L/3772, REV. 1, PARA 2).

4. CHAIRMAN STATED THAT MINI-BOP WAS AN EXCEPTION TO REGULAR GATT PROCEDURES FOR ARTICLE XVIII CONSULTATIONS. IF BOP COMMITTEE AGREED BY CONSENSUS, IT COULD ACCEPT A MINI-BOP AS MEETING ARTICLE XVIII REQUIREMENTS. BUT IF COMMITTEE COULD NOT REACH CONSENSUS, I.E., IF EVEN ONE COMMITTEE MEMBER DISAGREED, THEN EXCEPTION WAS NOT GRANTED AND FULL BOP CONSULTATIONS MUST BE SCHEDULED. CHAIRMAN CITED L/3772/REV. 1.
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PAGE 03 GENEVA 04115 251915Z

5. CANADA MEMBER SUPPORTED CHAIRMAN'S INTERPRETATION. BRAZIL AND URUGUAY MADE CLEAR THAT THEY DID NOT SHARE THIS INTERPRETATION. AFTER SOME FURTHER DISCUSSION, CHAIRMAN MADE ABOVE RULING FINAL AND SCHEDULED FULL CONSULTATION FOR FALL. BRAZIL SAID IT ACCEPTED CHAIRMAN'S RULING, BUT FELT THAT REPORT SHOULD SHOW THAT THE COMMITTEE HAD NOT ENTIRELY AGREED ON INTERPRETATION OF ITS MANDATE ON THIS POINT AND THAT THIS MATTER NEEDED TO BE RESOLVED. PAKISTAN SUPPORTED THIS VIEW.

6. AFTER MEETING, US REP REITERATED TO HAMID THAT WE WERE NOT TRYING TO SINGLE PAKISTAN OUT BUT THAT WE HAD ASKED FOR FULL CONSULTATION BECAUSE IT WAS THE ONE COUNTRY THAT HAD GONE THE LONGEST WITHOUT FULL CONSULTATION. (LAST CONSULTATION FOR PERU WAS 1975; INDIA 1973; INDONESIA 1970; SRI LANKA 1971, EGYPT, 1970). WE ALSO REITERATED THAT ONE OF PURPOSES OF FULL CONSULTATION WAS TO FOSTER UNDERSTANDING OF BOP PROBLEMS OF DEVELOPING COUNTRIES AND PROVIDE CONSTRUCTIVE SOLUTIONS TO THEM. WE NOTED THAT PAKISTAN COULD EVEN RAISE

TRADE RESTRICTIONS IMPOSED BY TRADING PARTNERS IN CONSULTATION.

7. BRAZIL INDICATED TO US PRIVATELY THAT ITS PRIMARY CONCERN WAS TO MAKE POINT THAT THERE WAS A PROBLEM WITH BOP COMMITTEE PROCEDURES AND THAT THIS IS SOMETHING WHICH HAS TO BE RESOLVED IN MTN FRAMEWORK GROUP.

8. QUESTION WILL MOST LIKELY COME UP AGAIN AT NEXT GATT COUNCIL WHEN CHAIRMAN WILL MAKE REPORT. EC EXPLAINED, ALSO PRIVATELY, THAT THEY COULD SUPPORT US ON PRINCIPLE IN COUNCIL, BUT WERE SILENT IN MEETING BECAUSE OF TEXTILE PROBLEMS WITH PAKISTAN. SORENSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BALANCE OF PAYMENTS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 25-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA04115
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770187-0843
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770521/aaaaarkb.tel
Line Count: 128
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 3433d18a-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 114374, 77 ISLAMABAD 5367
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2381434
Secure: OPEN
Status: NATIVE
Subject: BOP CONSULTATION WITH PAKISTAN
TAGS: ETRD, PK, US, GATT
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/3433d18a-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009